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PREPARATIONS FOR THE UNITED NATIONS CONFERENCE ON ENVIRONMENT AND DEVELOPMENT ON THE BASIS OF GENERAL ASSEMBLY RESOLUTION 44/228 AND TAKING INTO ACCOUNT OTHER RELEVANT GENERAL ASSEMBLY RESOLUTIONS: CROSS-SECTORAL ISSUES

ENVIRONMENTALLY SOUND MANAGEMENT OF TOXIC CHEMICALS

(Section II, Chapter 11 of Agenda 21)

Prevention of illegal international traffic in toxic and dangerous products and wastes

Report of the Secretary-General of the Conference

1. As a follow-up to the progress report on "Prevention of illegal international traffic in toxic and dangerous products and wastes" (A/CONF.151/PC/88), the following additional information has been made available to the UNCED secretariat by UNEP. It should be considered in the context of document A/CONF.151/PC/100/Add.23.

2. In General Assembly resolution 44/226 of 22 December 1989, the regional commissions were requested, inter alia, to contribute to the prevention of the illegal traffic in toxic and dangerous products and wastes by monitoring and making regional assessments of this illegal traffic and its environmental and health implications. The Assembly also requested the regional commissions to interact among themselves and cooperate with UNEP, with a view to maintaining efficient and coordinated monitoring and assessment of the illegal traffic in toxic and dangerous products and wastes.

3. With a view to responding to this resolution, UNEP and ESCAP agreed on a joint project "Preliminary assessment of illegal traffic in toxic and dangerous products and wastes in the ESCAP region", which has recently been initiated. The project is expected to be completed in August 1992. The results and experience gained through this project will be transmitted to other regions, in particular the African and Latin American and Carribean regions, so that they can be utilized in international efforts for monitoring and management of international traffic in toxic and dangerous products and wastes in those regions. ESCAP will report to the Economic and Social Council on the outcome of the project. UNEP will use the information and experience gained in implementing the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal and the amended London Guidelines for the Exchange of Information on Chemicals in International Trade as well as in developing further regional activities.

4. The Seventh Ordinary Meeting of the Contracting Parties to the Convention for the Protection of the Mediterranean Sea against Pollution and its related protocols, which took place in Cairo, 8-11 October 1991, had an initial discussion on a draft protocol for the prevention of pollution of the Mediterranean Sea by transboundary movements of hazardous wastes and their disposal. The draft protocol contains provisions for monitoring and control of illegal traffic in hazardous wastes. The meeting recommended that further work be undertaken on the matter including the convening in 1992 of a group of experts to study the draft protocol. It is expected that similar protocols will be developed in future for other regional marine environmental action plans.

5. The Basel Convention deals specifically with the issue of illegal traffic in hazardous wastes and other wastes covered by it in its article 9 and in fact provides a definition for it. As at 1 February 1992, 19 countries had ratified the Convention and it is expected to enter into force during the first half of 1992. Contracting Parties will use its provisions as a basis to identify and control illegal movements of wastes covered by the Convention. Annual reporting will allow close monitoring of international movements of such wastes and will help to gradually eliminate illegal traffic.

6. At the request of the UNEP Governing Council, in its decision 16/30, the Executive Director of UNEP convened an ad hoc meeting of government-designated experts to consider draft elements and a possible international strategy and an action programme for the environmentally sound management of hazardous waste. The meeting, which took place in Nairobi, 9-11 December 1991, developed a series of strategic guidelines and recommendations for an action programme for the environmentally sound management of hazardous waste, including specific recommendations aimed at monitoring, assessment and eventual prevention of illegal traffic in hazardous waste. The report of the meeting has been forwarded to the Secretary-General of UNCED for consideration by the Preparatory Committee at its fourth session (see A/CONF.151/PC/116).

7. As regards illegal traffic in dangerous products, the Prior Informed Consent procedure for banned and severely restricted chemicals, including

pesticides, has now become operational. This procedure, which is incorporated in both the amended London Guidelines and the International Code of Conduct on the Distribution and Use of Pesticides, is jointly operated by UNEP and FAO. It contains provisions for formally obtaining and disseminating the decisions of importing countries as to whether they wish to receive future shipments of chemicals which have been banned or severely restricted. One hundred nine Governments to date have designated national authorities for the operation of the Prior Informed Consent procedure at the national level. It is expected that the procedure will help significantly reduce illegal traffic in banned or severely restricted chemicals. However, during a regional training workshop, held at Manila, 29 July-2 August 1991, organized by UNEP and FAO, in association with the United Nations Institute for Training and Research, designated national authorities and other government representatives of developing countries reported serious deficiencies in the capabilities of many countries to control imports and to detect and stop the entry of unwanted chemicals. The representatives called upon FAO and UNEP to provide further information, training and assistance to overcome these difficulties.